



Entered on Docket
October 07, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Third Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Part Upon Investment In
The Castaic Partners III Loan**

Hearing Date: September 30, 2011
Hearing Time: 9:30 a.m.

The Court having considered the "Third Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment In The Castaic Partners III Loan." (Castaic Partners III Loan") [DE 8848] (the "Objection"); the Court having heard the Objection on September 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right

1 to repayment by the borrower or from the collateral securing the Castaic Partners III Loan;
2 and good cause appearing:

3 **IT IS ORDERED** that:

- 4 1. The Objection [DE 8848] is sustained; and
5 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
6 claims are based upon an investment in the Castaic Partners III Loan.

7
8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9
10 **LEWIS AND ROCA LLP**

11 By /s/ John Hinderaker (AZ #018024)

12 Robert M. Charles, Jr.

13 John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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USACM Trust

Castaic Partners III Loan

Multiple Loan Claims

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Castaic Partners III, LLC Loan
10725-02366	1/16/2007	Al-Awar Living Trust Dtd 4/05/01	Adib M & Ellen A Al-Awar Ttees 1330 Burro Ct Gardnerville, NV 89410	3,615,913.62	200,000.00
10725-01561	12/7/2006	Block H&W/WR Of S, Jerome L & Charma N	1901 John F. Kennedy Blvd. Apt. 2426 Philadelphia, PA 19103	123,350.53	59,833.29
10725-01233	11/9/2006	Casey Family Trust	C/O Richard F & Kathryn A Casey Ttees 130 Lansberry Ct Los Gatos, CA 95032 And 2775 Park Avenue Santa Clara, CA 95050	150,000.00	50,000.00
10725-01218	11/10/2006	Cohen Living Trust Dtd 3/6/90	c/o Nelson Cohen, Esq. 7670 W. Lake Mead Blvd. Suite 225 Las Vegas, NV 89128	404,317.00	50,000.00
10725-02030	1/11/2007	Daniel D Newman Trust Dtd 11/1/92	C/O Daniel D Newman Trustee 125 Elysian Dr Sedona, AZ 86336	1,428,037.34	60,000.00
10725-01884	1/8/2007	Fallon, Thomas	Usaid Thailand Apo Ap 96546	216,214.60	54,016.01
10725-02003	1/10/2007	Harrison Family Trust Dtd 7/27/99	Thomas B & Marguerite F Harrison Ttees 930 Dorcey Dr Incline Village, NV 89451	730,819.70	60,000.00
10725-01297	11/10/2006	Kiven, Norman	Andrew J Abrams Esq Sugar Friedberg & Felsenthal. LLP 30 N Lasalle St., Ste 3000 Chicago, IL 60602	1,040,000.00	Unknown
10725-01478	11/15/2006	Kiven, Norman	Andrew J Abrams Esq Sugar Friedberg & Felsenthal. LLP 30 N Lasalle St., Ste 3000 Chicago, IL 60602	96,496.00	Unknown
10725-02037	1/11/2007	Miller Trust Dated 8/13/87	Gary I & Barbara Miller Ttees 2832 Tilden Ave Los Angeles, CA 90064	1,111,366.00	50,000.00

EXHIBIT A

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